MADRID AGREEMENT/MADRID PROTOCOL
CONCERNING THE INTERNATIONAL REGISTRATION OF TRADE MARKS

REFUSAL OF PROTECTION

notified to the International Bureau of the World Intellectual Property Organization (WIPO) under Article 5 of the Madrid Agreement/Madrid Protocol

The boxes are crossed off when applicable ☒

I.	Office having declared refusal of protection: **Deutsches Patent- und Markenamt** **D-81534 München** **(Federal Republic of Germany)** Telephone (0 89) 21 95 - 0; Teleprinter (0 89) 21 95 - 22 21 extension no. (0 89) 21 95 - 4527
II.	No. of the international registration in respect of which protection has been refused: 1 006 557 No. of basic national registration: 2008/62695
III.	Name and address of the holder of the registration in respect of which protection has been refused: YILDIZ HOLDING A.S. Uskudar/Istanbul (Turkey)
IV.	Provisional/final refusal *(see item VIII. below)*
V.	Grounds for refusal (earlier opposed trade marks and/or other grounds): *- see item X. -*
VI.	Applicable sections of the national law *- see item XIII. -*
VII.	☒ Refusal for all products/services. ☐ Refusal for all products/services excepting: ☐ Refusal for products/services as follows *- see item X. -*
VIII.	**Objection to and legal remedies concerning the decision to refuse protection** *(please quote the international registration No/Cl.* ***30*** *IR in all correspondence):* **The holder of the trade mark may submit his objections to the present refusal to Deutsches Patent- und Markenamt** *(address as indicated in item I above)* **within four months** **from the date on which the notification of refusal was dispatched by WIPO, exclusively through the agency of a representative** *(Patentanwalt or Rechtsanwalt)* **who is a resident of the Federal Republic of Germany or a national of another member state of the European Union or a contracting state of the European Economic Area to whom the details of the refusal will be communicated.** **During the above time limit, the refusal of protection is provisional.** **In the absence of objections to the refusal within the time limit of four months, the latter will become final without further notification.** **Within an additional time limit of one month** **the holder may, however, file an objection** *(Erinnerung)* **together with the fee of EUR 150.- for objection.** **In the absence of an objection refusal shall become final.** **The objection (Erinnerung) shall be addressed directly to Deutsches Patent- und Markenamt** *(address as indicated in item I above)* **through the agency of a representative** (Patentanwalt or Rechtsanwalt) **who is a resident of the Federal Republic of Germany or a national of another member state of the European Union or a contracting state of the European Economic Area.**
IX.	Date of pronouncement of refusal: January 14, 2010

X.	**Supplementary box** grounds for refusal - item V. - International Trade Mark 1 006 557 The company (companies) mentioned below has (have) lodged opposition to the admission of the trade mark because of earlier national (M) or international (IR) application or registration of its (their) trade mark(s) listed below (Sec. 9, 42, 107, 114 Trade Mark Law; Art. 6 quinquies B No 1 Paris Convention): Griesson – de Beukelaer GmbH & Co. KG, Polch, DE (DE 302 11 719.9/30 – Twist'n'Snack, fig.); Unilever Deutschland GmbH, Hamburg, DE (DE 1 047 853 – Twister); Unilever N.V., Rotterdam, NIEDERLANDE (GM 001484831 – TWISTER), (IR 483 430 – TWISTER), (IR 723 388 – TWiSTER, fig.) and (IR 651 869 – LONG TWISTER). <u>Note:</u> If no representative has been appointed within the provisional time limit of the first four months, this fact constitutes in itself a ground for refusal after the notification concerning the refusal of protection has become final (Sec. 96, 107 Trade Mark Law).

XII.	**Annexes** (crossed off below) ☒ 1 reproduction of 6 opposed trade mark(s) including a figurative element or a special graphic design ☐ List specifying the registration number as well as the relevant goods/services in respect of each opposed trade mark ☐ List of professional representatives ☐ List of goods/services	XI.	**Signature or official seal of the administration which pronounced the refusal** DEUTSCHES PATENT- UND MARKENAMT

XIII. (Title and date of the applicable national law)

Extract from the Trade Mark Law

version of 9 December 2004

Absolute Grounds for Refusal

8. - (1) Signs that are capable of being protected as a trade mark within the meaning of Section 3, but not capable of being represented graphically, shall not be registered.

(2) The following shall not be registered:

1. trade marks which are devoid of any distinctive character with respect to the goods or services;
2. trade marks which consist exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, geographical origin, the time of production of the goods or of the rendering of the services, or to designate other characteristics of the goods or services;
3. trade marks which consist exclusively of signs or indications which have become customary in the current language or in the *bona-fide* and established practices of the trade for designating goods or services;
4. trade marks which are of such a nature as to deceive the public, in particular, as to the nature, quality or geographical origin of the goods or services;
5. trade marks which are contrary to public policy or to accepted principles of morality.
6. trade marks which include armorial bearings, flags or other emblems of State, or armorial bearings of a locality, an association of communities or an association of other communal entities within the country;
7. trade marks which include official signs and hallmarks, indicating control and warranty, which, according to a notice published by the Federal Ministry of Justice in the Federal Law Gazette [*Bundesgesetzblatt*], cannot be validly registered as trade marks;
8. trade marks which include armorial bearings, flags or other signs, seals, or designations, of international intergovernmental organisations which, according to a notice published by the Federal Ministry of Justice in the Federal Law Gazette, cannot be validly registered as trade marks;
9. trade marks the use of which can obviously be prohibited pursuant to other provisions in the public interest; or
10. trade marks which have been filed in bad faith.

(3) Subsection (2), Nos. 1, 2 and 3, shall not apply if the trade mark has, before the date of the decision on registration and following the use which has been made of it, established itself in affected trade circles as the distinguishing sign for the goods or services for which it has been filed.

(4) Subsection (2), Nos. 6, 7 and 8, shall also apply if the trade mark includes the imitation of a sign specified therein. Subsection (2), Nos. 6, 7 and 8, shall not apply where the applicant is authorised to include one of the signs specified therein in his trade mark even if it may be confused with another of the signs specified therein. Furthermore, subsection (2), No. 7, shall not apply where the goods or services for which the application for registration of the trade mark has been filed are neither identical with nor similar to those for which the sign or hallmark, indicating control or warranty, has been introduced. Furthermore, subsection (2), No. 8, shall not apply where the trade mark filed is not of such a nature as to falsely suggest to the public that a connection exists between the trade mark and the international intergovernmental organisation.

Filed or Registered Trade Marks as Relative Grounds for Refusal

9. - (1) Registration of a trade mark may be cancelled

1. if it is identical with an earlier filed or registered trade mark, and the goods or services for which the trade mark is registered are identical with the goods or services for which the earlier trade mark is filed or is registered;
2. if because of its identity with, or similarity to, the earlier filed or registered trade mark, and the identity or similarity of the goods or services covered by the trade marks, there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the other trade marks;
(...)

Opposition

42. - (1) Within a period of three months following the date of publication of the registration of the trade mark pursuant to Section 41, the proprietor of an earlier trade mark may give notice of opposition to registration of the trade mark.

(2) The opposition may only be based on the grounds that the trade mark may be cancelled due to

1. an earlier filed or earlier registered trade mark pursuant to Section 9 (1), No. 1 or 2;
2. an earlier well-known trade mark pursuant to Section 10 in conjunction with Section 9 (1). No 1 or 2; or
3. its registration for an agent or representative of the proprietor of the trade mark pursuant to Section 11.

(3) (deleted)

Objection Due to Non-use; Decision on the Opposition

43. - (1) If the proprietor of an earlier registered trade mark has given notice of opposition, he shall, if the other party contests the use of the trade mark, substantiate by *prima facie* evidence that, during the period of five years preceding the publication of the registration of the trade mark against which a notice of opposition has been given, the earlier registered trade mark has been put to use pursuant to Section 26, provided the earlier trade mark has at that date been registered for not less than five years. If the period of five years of non-use ends after the publication of the registration, the opponent shall, if the other party contests that use, substantiate by *prima facie* evidence that, during the period of five years preceding the decision on the opposition, the trade mark has been put to use pursuant to Section 26. In the decision, only those goods or services shall be considered of which use has been substantiated by *prima facie* evidence.

(2) If examination of the opposition reveals that the trade mark must be cancelled in respect of some or all of the goods or services for which it is registered, the registration shall be cancelled in full or in part. If the registration of the trade mark cannot be cancelled, the opposition shall be rejected.

(3) If the registered trade mark has to be cancelled because of one or several earlier trade marks, the proceedings with regard to further oppositions may be suspended until a decision on the registration of the trade mark has become final. (...)

Domestic Representative

96. - (1) Any person having neither a residence nor a seat nor an establishment in Germany may take part in proceedings before the Patent Office or the Patent Court, regulated by this Law, and may claim the rights conferred by the trade mark, only if he has appointed a patent attorney or an attorney-at-law in Germany as his representative, who shall be authorised to represent him in Patent Office and Patent Court proceedings and in civil litigation affecting the mark, and also file requests for the institution of criminal proceedings.

(2) Nationals of member states of the European Union or another contracting state of the Agreement on the European Economic Area may be appointed as representatives within the meaning of subsection 1 for rendering a service within the meaning of the Treaty Establishing the European Community, if they are authorised to pursue professional activities under any of the professional titles appearing in the respective applicable version of the annex to Section 1 of the Law on the Professional Activities of European Lawyers in Germany of 9 March 2000 [*Gesetz über die Tätigkeit europäischer Rechtsanwälte in Deutschland*] (BGBl* I p. 182) or the annex to Section 1 of the Law on the Qualifying Examination for Gaining Admission to the Profession of Patent Attorney of 6 July 1990 [*Gesetz über die Eignungsprüfung zur Zulassung zur Patentanwaltschaft*] (BGBl* I p. 1349, 1351). In such case, proceedings can only be conducted, if an attorney-at-law or a patent attorney in the Federal Republic of Germany has been appointed as authorised recipient.

(3) The place where the representative, appointed under subsection 1, has his business premises shall be deemed, within the meaning of Section 23 of the Code of Civil Procedure, to be the place where the assets are located. If there are no business premises, then the place where the representative has his domicile in Germany shall be relevant and, in the absence thereof, the place where the Patent Office has its seat.

(4) The termination of the appointment of a representative under subsection 1 shall be effective only after the termination of the appointment and the appointment of a new representative have been communicated to the Patent Office or the Patent Court.

Application of the Provisions of this Law; Language

107. (1) The provisions of this Law shall be applicable *mutatis mutandis* to the international registration of marks under the Madrid Agreement Concerning the International Registration of Marks (Madrid Agreement) which are effected through the intermediary of the Patent Office or the protection of which extends to the territory of the Federal Republic of Germany unless otherwise provided in this Chapter or in the Madrid Agreement.

(2) All requests and other communications in the procedure concerning international registrations and the list of goods and services shall be submitted in French.

Examination as to Absolute Grounds for Refusal

113. - (1) International registration of marks shall be examined as to absolute grounds for refusal under Section 37 in the same way as marks in respect of which an application for registration has been filed. Section 37(2) shall not apply.

(2) Rejection of the application (Section 37(1)) shall be replaced by refusal of protection.

Opposition

114. - (1) For the purpose of international registrations, publications of the registration (Section 41) shall be replaced by publication in the gazette published by the International Bureau of the World Intellectual Property Organization[1].

(2) The time limit for lodging opposition (Section 42(1)) against the grant of protection for international registrations shall start on the first day of the month following the month indicated on the issue of the gazette containing the publication of the international registration.

(3) Cancellation of the registration (Section 43(2)) shall be replaced by refusal of protection.

Extract from the Trade Mark Ordinance version of 11 May 2004

Section 46

Refusal of Protection

(1) Where protection is, in full or in part, refused to an international registration the protection of which has been extended to the territory of the Federal Republic of Germany under Article 3*ter* of the Madrid Agreement or under Article. 3*ter* of the Protocol Relating to the Madrid Agreement, and where this refusal is communicated to the International Bureau of the World Intellectual Property Organization to be transmitted to the proprietor of the international registration, the time limit for appointing a representative in Germany shall, to avoid final refusal, be fixed to four months from the date on which notification of refusal was dispatched by the International Bureau of the World Intellectual Property Organization.

(2) Where the refusal of protection has become final because the proprietor of the international registration has failed to appoint a representative in Germany, an objection to or an appeal from the refusal shall be filed with the German Patent and Trade Mark Office within one further month after the time limit of four months under subsection (1). Instructions about the proprietor's right to appeal shall be attached to the refusal. Sec. 61(2) of the Trade Mark Law shall apply *mutatis mutandis*.

[1] *Gazette OMPI des marques internationales/WIPO Gazette of International Marks* (published fortnightly) *(Editor's note).*

* Federal Law Gazette

Stammdatenauszug

Stammdatenversion vom: **21.11.2005**

Aktenzeichen: **302 11 719.9 / 30**

Auszug vom: **22.10.2009**

gedruckt am: 22.10.2009 14:58:00

[redacted]

Markeninformationen

Aktenzeichen: **302 11 719.9 / 30**
altes Aktenzeichen:
Aktenzustand: **Marke eingetragen**
Markentext: **Twist'n'Snack**
☐ Transliteration:

Bilddarstellung

Markenbild:

Bildklassen:

Kategorie	Abschnitt	Unterabschnitt
24	17	1
26	1	18
27	5	10

Markenwiedergabe

Markenform: **Wort-/Bildmarke**
☐ Farbige Eintragung:
☐ Markenbeschreibung:

Markendaten

☐ Verkehrsdurchsetzung

☐ verkehrsdurchgesetzter Bestandteil:

☐ Umgewandelte EM-Anmeldung/IR-Anmeldung

☐ Umgewandelte EM-Marke/IR-Marke

EM-Aktenzeichen:

Veröffentlichungstag der Voranmeldung:

Anmeldetag: **11.03.2002**

Anmeldung eingegangen am: **11.03.2002**

☐ Kollektivmarke ☐ beschleunigte Prüfung § 38

☐ Telle-Quelle ☐ elektronische Anmeldung

Anmelder

A10398449

Griesson - de Beukelaer GmbH & Co. KG, 56751 Polch

Vertreter

Zustelladresse

Z8774390

Griesson - de Beukelaer
GmbH & Co. KG
Rechtsabteilung
August-Horch-Str. 23
56751 Polch

Verzeichnis der Waren und Dienstleistungen

Klasse	Begriffe
(nicht gruppiert)	Konserviertes, getrocknetes und gekochtes Obst und Gemüse; Gallerten (Gelees), Konfitüren, Fruchtsaucen; Milch und Milchprodukte; im Extrudierverfahren hergestellte Kartoffelprodukte für Nahrungszwecke; Kartoffelchips; verarbeitete Haselnuss-, Erdnuss-, Cashewkerne, Pistazienkerne und Mandeln; Kaffee, Tee, Zucker, Reis, Mehle und Getreidepräparate, Brot, feine Backwaren und Biskuits,

Klasse	Begriffe
	jedoch nicht Kakao/Schokolade enthaltend und/oder mit Kakao/Schokolade umhüllt; Honig, Melassesirup, Hefe, Backpulver, Backmischungen
29	
30	

Verfahrensdaten

Eintragung: **18.09.2002**

voraussichtliche Veröffentlichung: **18.10.2002**

Schutzbeginn: **11.03.2002**

Schutzende: **31.03.2012**

Ende der Aufbewahrungsfrist:

Nr.	Verfahren	Verfahrenszustand	Abschluss	Attribut	Wert
1	(Teil-)Löschungsverfahren Antrag Inhaber	Marke teilweise gelöscht	16.12.2002		
				Löschungsgrund	Löschung wegen Verzicht nach §48
2	(Teil-)Löschungsverfahren Antrag Inhaber	Marke teilweise gelöscht	10.01.2003		
				Löschungsgrund	Löschung wegen Verzicht nach §48
3	Widerspruchsverfahren	Widerspruch zurückgewiesen/verworfen	21.11.2005		
				Abschlussdatum	21.11.2005

Verbundene IR-Marken

Aktenzeichen	A-Nummer	Aktenzustand	IR-Registrierung
IR 789 380		Registriert	18.09.2002

[redacted]

Markeninformationen

Aktenzeichen: **1 047 853 / 30**
altes Aktenzeichen: **L 26 377**
Aktenzustand: **Marke eingetragen**
Markentext: **Twister**
☐ Transliteration:

Bilddarstellung

(kein Markenbild)

(keine Bildklassifikation)

Markenwiedergabe

Markenform: **Wortmarke**
☐ Farbige Eintragung:
☐ Markenbeschreibung:

Markendaten

☐ Verkehrsdurchsetzung
☐ verkehrsdurchgesetzter Bestandteil:

☐ Umgewandelte EM-Anmeldung/IR-Anmeldung
☐ Umgewandelte EM-Marke/IR-Marke
EM-Aktenzeichen:
Veröffentlichungstag der Voranmeldung:

Anmeldetag: **29.03.1983**
Anmeldung eingegangen am: **29.03.1983**
☐ Kollektivmarke ☒ beschleunigte Prüfung § 38
☐ Telle-Quelle ☐ elektronische Anmeldung

Anmelder

A16138376

Unilever Deutschland GmbH, 20355 Hamburg

Vertreter

V271497

Baker & McKenzie, 60311 Frankfurt

Zustelladresse

Z6187285

Rechtsanwälte
Baker & McKenzie
Bethmannstr. 50-54
60311 Frankfurt

Verzeichnis der Waren und Dienstleistungen

Klasse	Begriffe
30	Speiseeis (auch mit Schokoladenüberzug), insbesondere Eiskrem in Konfektform

Verfahrensdaten

Eintragung:	**02.05.1983**
voraussichtliche Veröffentlichung:	**15.06.1983**
Schutzbeginn:	**30.03.2003**
Schutzende:	**31.03.2013**
Ende der Aufbewahrungsfrist:	

Nr.	Verfahren	Verfahrenszustand	Abschluss	Attribut	Wert
1	Widerspruchsverfahren	Marke nicht gelöscht	02.05.1983		
				Abschlussdatum	02.05.1983
2	Verlängerungsverfahren	Schutzdauer der Marke verlängert	31.03.2003		
				Schutzende	31.03.2013
3	Umschreibungsverfahren	Umschreibung abgeschlossen	30.01.2006		
				Angaben zum Inhaber	Unilever Deutschland

Nr.	Verfahren	Verfahrenszustand	Abschluss	Attribut	Wert
					GmbH, 20355 Hamburg DE
				Angaben zum Vertreter	Zenk und Kollegen, 22087 Hamburg
				Angaben zur Zustelladresse	ZENK Rechtsanwälte, Hartwicusstr. 5, 22087 Hamburg
4	Umschreibungsverfahren	Umschreibung abgeschlossen	13.02.2007		
				Angaben zum Inhaber	Unilever Deutschland GmbH, 20355 Hamburg DE
				Angaben zum Vertreter	Baker & McKenzie, 60311 Frankfurt
				Angaben zur Zustelladresse	Rechtsanwälte Baker & McKenzie LLP, Bethmannstr. 50-54, 60311 Frankfurt
5	Umschreibungsverfahren	Umschreibung abgeschlossen	23.06.2008		
				Angaben zum Inhaber	Unilever Deutschland GmbH, 20355 Hamburg DE
				Angaben zum Vertreter	Baker & McKenzie, 60311 Frankfurt
				Angaben zur Zustelladresse	Rechtsanwälte Baker & McKenzie, Bethmannstr. 50-54, 60311 Frankfurt

Verbundene IR-Marken

(keine verbundenen IR-Marken)

W3

Site language
Select site language: Deutsch (de)

- FAQ
- Kontakte
- Sitemap
- Links

CTM-ONLINE - Ausführliche Markeninformation

Wortlaut der Marke : TWISTER
Nummer der Marke : 001484831
Markenbasis: GM
Anzahl der Ergebnisse: 1 von 1

Online-Formular zur Akteneinsicht (Nur für MyPage-Nutzer, die über ein laufendes Konto verfügen)

Marke

Anmeldetag:	01/02/2000
Tag der Eintragung:	25/08/2004
Ablaufdatum:	01/02/2010
Nizzaer Klassifikation:	30 (Nizzaer Klassifikation)
Marke:	Einzelmarke
Art der Marke:	Wortmarke
Erlangte Unterscheidungskraft:	Nein
Zeichen des Anmelders:	CTM/AM/TWISTER
Verfahrensstand der Marke:	GM eingetragen (Glossar) GM-Eintragung veröffentlicht (B1) (Veröffentlichungen B1 oder Veröffentlichungen B2) (Statusverlauf)
Erste Sprache:	Niederländisch
Zweite Sprache:	Englisch

Graphische Wiedergabe

Keine Angabe unter der Anmeldenummer: 001484831.

Verzeichnis der Waren und Dienstleistungen

Nizzaer Klassifikation:	30
Verzeichnis der Waren und Dienstleistungen	Speiseeis, Wassereis; gefrorene Süßwaren; Präparate für die Herstellung der vorstehend genannten Waren, soweit sie nicht in anderen Klassen enthalten sind.

Beschreibung

Beschreibung der Marke: -

Inhaber

Name:	Unilever N.V.
Nummer:	29682
Natürliche/juristische Person:	juristische Person
Anschrift:	Weena 455
Postleitzahl:	3013 AL
Stadt:	Rotterdam
Staat:	NIEDERLANDE
Korrespondenzanschrift:	Unilever Patent Group Colworth House Shambrook Bedford, Bedfordshire MK44 1LQ United Kingdom
Telefon-Nummer:	00 31-102174000
Fax:	00 31-102174484

Vertreter

Name:	BAKER & MCKENZIE LLP
Nummer:	10018
Anschrift:	100 New Bridge Street
Postleitzahl:	EC4V 6JA
Stadt:	London
Staat:	UNITED KINGDOM
Korrespondenzanschrift:	BAKER & MCKENZIE LLP 100 New Bridge Street London EC4V 6JA REINO UNIDO
Telefon-Nummer:	00 44-2079191000
Fax:	00 44-2079191999
E-Mail:	**helen.ginnelly@bakernet.com**

Seniorität

Keine Angabe unter der Anmeldenummer: 001484831.

Ausstellungspriorität

Keine Angabe unter der Anmeldenummer: 001484831

Priorität

Keine Angabe unter der Anmeldenummer: 001484831.

Veröffentlichung

Nr. des Blatts für Gemeinschaftsmarken:	2000/067
Tag der Veröffentlichung:	21/08/2000
Teil:	A.1
Nr. des Blatts für Gemeinschaftsmarken:	**2004/041**
Tag der Veröffentlichung:	11/10/2004
Teil:	B.2

Widerspruch

Widerspruchsnummer:	000327413
Eingangsdatum:	21/11/2000
Name des Widersprechenden:	Campina GmbH & Co. KG
Nummer des Widersprechenden:	157513

Löschung

Keine Angabe unter der Anmeldenummer: 001484831

Beschwerden

Keine Angabe unter der Anmeldenummer: 001484831.

Sonstige Eintragungen

Rubrik:	Vertreter
Unterrubrik:	Whechsel von Vertretern
Nummer:	002538729
Nr. des Blatts für Gemeinschaftsmarken:	**2007/055**
Tag der Veröffentlichung:	01/10/2007
Teil:	C.2.2
Rubrik:	Vertreter
Unterrubrik:	Änderungen des Namens und des Geschäftsanschrift
Nummer:	000643877
Nr. des Blatts für Gemeinschaftsmarken:	**2007/032**
Tag der Veröffentlichung:	09/07/2007
Teil:	C.2.1

Verlängerungen

Ablaufdatum:	01/02/2010
Stand der Verlängerung:	Bevorstehender Ablauf der Eintragung mitgeteilt

Statusverlauf (⇨Glossar)	**Datum des Verfahrensstands**
Bevorstehender Ablauf der Eintragung mitgeteilt	05/07/2009

- © 1995-2008
- Rechtlicher Hinweis
- Datenschutzn
- Kompatibilität

Version: 9.2.0

W4

483430

151 **Date of the registration**

25.01.1984

180 **Expected expiration date of the registration/renewal**

25.01.2014

270 **Language of the application**

French

Current Status

732 **Name and address of the holder of the registration**

Unilever N.V.

Weena 455

NL-3013 AL Rotterdam (NL)

811 **Contracting State of which the holder is a national**

BX

740 **Name and address of the representative**

Trade Marks Unit,

Baker & McKenzie

100 New Bridge Street

London EC4V 6JA (GB)

770 **Name and address of the previous holder**

IGLO-OLA B.V.

4, Tiberdreef,

UTRECHT (NL)

540 **Mark**

TWISTER

511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)**

30 Glaces comestibles.

822 **Basic registration**

BX, 14.11.1983, 392 530

300 **Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**

BX, 14.11.1983, 392 530

831 **Designation(s) under the Madrid Agreement**

KZ - TJ

834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**

AL - AM - AT - BA - BY - CH - CZ - DE - FR - HR - HU - KG - LV - MC - MD - ME - MK - RO - RS - RU - SI - SK - UA

⊟ **Registration**

450 **Publication number and date**

1984/3 LMi, 01.05.1984

831 **Designation(s) under the Madrid Agreement**

AT - CH - FR - MC

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**

24.04.1984

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

AT

The refusal period has expired and no notification of provisional refusal has been recorded (application

of Rule 5 preserved)

CH

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

FR

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

MC

⊟ Subsequent designation

450 Publication number and date

1990/8 LMi, 15.10.1990

831 Designation(s) under the Madrid Agreement

CS - DD - DE - HU - RO - SU - YU

580 Date of recording (date of notification from which the time limit to notify the refusal starts)

03.09.1990

891 Date of subsequent designation (Rule 24(6) of the Common Regulations)

06.08.1990

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

CS

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

DD

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

DE

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

HU

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

SU

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

YU

⊟861 Total provisional refusal of protection

RO

450 Publication number and date

Before April 1st, 1996, provisional refusals were not published

⊟ Continuation of effect

450 Publication number and date

1993/6 LMi, 17.08.1993

833 Interested Contracting Party(ies)

KZ - UA

580 Date of recording

16.06.1993

⊟ Continuation of effect

450 Publication number and date

1993/9 LMi, 17.11.1993

833 Interested Contracting Party(ies)
HR - SI
580 Date of recording
10.09.1993

⊟895 Statement indicating that the mark is protected for all the goods and services requested
RO
450 Publication number and date
1994/2 LMi, 19.04.1994

⊟ Continuation of effect
450 Publication number and date
1994/4 LMi, 20.06.1994
833 Interested Contracting Party(ies)
MK
580 Date of recording
07.04.1994

⊟ Continuation of effect
450 Publication number and date
1994/4 LMi, 20.06.1994
833 Interested Contracting Party(ies)
CZ - SK
580 Date of recording
18.04.1994

⊟ Continuation of effect
450 Publication number and date
1994/7 LMi, 21.09.1994
833 Interested Contracting Party(ies)
TJ
580 Date of recording
18.07.1994

⊟ Subsequent designation
450 Publication number and date
1994/10 LMi, 16.12.1994
831 Designation(s) under the Madrid Agreement
BY
580 Date of recording (date of notification from which the time limit to notify the refusal starts)
15.11.1994
891 Date of subsequent designation (Rule 24(6) of the Common Regulations)
04.10.1994
The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)
BY

⊟ Continuation of effect
450 Publication number and date
1994/11 LMi, 23.01.1995
833 Interested Contracting Party(ies)
AM - KG - MD

580 **Date of recording**
25.10.1994

⊟ **Subsequent designation**
450 **Publication number and date**
1995/7 LMi, 19.09.1995
831 **Designation(s) under the Madrid Agreement**
LV
580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**
16.08.1995
891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**
25.07.1995
The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)
LV

⊟ **Subsequent designation**
450 **Publication number and date**
1995/12 LMi, 20.02.1996
831 **Designation(s) under the Madrid Agreement**
AL
580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**
04.01.1996
891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**
20.11.1995
The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)
AL

⊟ **Continuation of effect**
450 **Publication number and date**
1997/3 Gaz, 27.03.1997
833 **Interested Contracting Party(ies)**
BA
580 **Date of recording**
20.02.1997

⊟ **New licence**
450 **Publication number and date**
2003/19 Gaz, 30.10.2003
791 **Name and address of the licensee**
Unilever Croatia d.o.o.
Trg Drazena Petrovica 3/8
HR-10 000 Zagreb (HR)
793 **Indication of conditions and/or restrictions under the license**
HR
Plain licence
Date of effect
07.08.2003
580 **Date of recording**
16.09.2003

⊟ **Renewal**

450 **Publication number and date**

2004/2 Gaz, 04.03.2004

831 **Designation(s) under the Madrid Agreement**

AL - AM - AT - BA - BY - CH - CZ - DE - FR - HR - HU - KG - KZ - LV - MC - MD - MK - RO - RU - SI - SK - TJ - UA - YU

⊟ **Continuation of effect**

450 **Publication number and date**

2008/6 Gaz, 13.03.2008

833 **Interested Contracting Party(ies)**

ME

580 **Date of recording**

07.02.2008

723388

151 Date of the registration

29.10.1999

180 Expected expiration date of the registration/renewal

29.10.2019

270 Language of the application

French

Current Status

732 Name and address of the holder of the registration

Unilever N.V.

Weena 455

NL-3013 AL Rotterdam (NL)

812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment

BX

740 Name and address of the representative

Trade Marks Unit,

Baker & McKenzie

100 New Bridge Street

London EC4V 6JA (GB)

540 Mark

531 International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(4)

27.03.01 ; 27.05.01 ; 29.01.01 ; 29.01.02 ; 29.01.03 ; 29.01.04

591 Information concerning colors claimed

Red, white, yellow, green and various shades of blue.

Rouge, blanc, jaune, vert et diverses teintes de bleu.

511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(7)

30 Edible ice.

Glaces comestibles.

822 Basic registration

BX, 18.06.1999, 652664

300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

BX, 18.06.1999, 652664

832 Designation(s) under the Madrid Protocol

DK - FI - IS - SE

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AT - CH - DE - FR - IT - PT - SM

⊟ **Registration**

450 **Publication number and date**

1999/25 Gaz, 03.02.2000

831 **Designation(s) under the Madrid Agreement**

AT - CH - DE - ES - FR - IT - LI - MC - PT - SM

832 **Designation(s) under the Madrid Protocol**

DK - FI - IS - NO - SE

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**

23.12.1999

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

AT

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

CH

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

DE

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

DK

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

FI

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

FR

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

IS

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

IT

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

LI

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

MC

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

PT

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

SE

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

SM

⊟861 **Total provisional refusal of protection**

NO

450 **Publication number and date**

2000/14 Gaz, 17.08.2000

⊟861 **Total provisional refusal of protection**
ES
450 **Publication number and date**
2000/20 Gaz, 09.11.2000

⊟ **Opposition possible after the 18 months time limit**
NO
450 **Publication number and date**
2001/7 Gaz, 10.05.2001

⊟894 **Final decision confirming the refusal of protection**
ES
450 **Publication number and date**
2001/18 Gaz, 11.10.2001

⊟896 **Statement indicating that protection of the mark is refused for all the goods and services requested**
NO
450 **Publication number and date**
2003/22 Gaz, 11.12.2003

⊟ **Renewal**
450 **Publication number and date**
2009/45 Gaz, 26.11.2009
832 **Designation(s) under the Madrid Protocol**
DK - FI - IS - SE
834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AT - CH - DE - FR - IT - PT - SM

⊟ **Designated contracting party(ies) which has not been the subject of a renewal (Rule 31(4)(b))**
ES - LI - MC - NO

651869

151 Date of the registration

26.01.1996

180 Expected expiration date of the registration/renewal

26.01.2016

270 Language of the application

French

Current Status

732 Name and address of the holder of the registration

Unilever N.V.

Weena 455

NL-3013 AL Rotterdam (NL)

812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment

BX

740 Name and address of the representative

Trade Marks Unit,

Baker & McKenzie

100 New Bridge Street

London EC4V 6JA (GB)

540 Mark

LONG TWISTER

511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(6)

29 Confitures congelées; produits pour leur préparation, non compris dans d'autres classes.

30 Glaces comestibles, glaces à l'eau; produits pour la préparation des produits précités non compris dans d'autres classes.

822 Basic registration

BX, 10.10.1995, 573.614

300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

BX, 10.10.1995, 573.614

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AT - CH - CZ - DE - FR - HU - IT - LI - MC - PL - PT - SK - SM

⊟ **Registration**

450 Publication number and date

1996/1 Gaz, 12.06.1996

831 Designation(s) under the Madrid Agreement

AT - CH - CZ - DE - ES - FR - HU - IT - LI - MC - PL - PT - SK - SM

580 Date of recording (date of notification from which the time limit to notify the refusal starts)

25.04.1996

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

AT

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

CH

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

CZ

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

DE

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

FR

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

HU

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

IT

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

LI

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

MC

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

PL

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

PT

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

SK

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

SM

⊟862 **Partial provisional refusal of protection**

ES

450 **Publication number and date**

1997/3 Gaz, 27.03.1997

Refus pour tous les produits de la classe 30.

⊟ **Partial assignment**

450 **Publication number and date**

1997/14 Gaz, 28.08.1997

833 **Interested Contracting Party(ies)**

ES

871 **Number of the assigned part of the international registration**

651869A

580 **Date of recording**

07.07.1997